

Message Text

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15

ACTION EA-14

INFO OCT-01 ADP-00 COME-00 MC-02 L-03 SS-15 NSC-10 ACDA-19

DODE-00 EB-11 INR-10 NSAE-00 RSC-01 TRSE-00 AEC-11

CIAE-00 RSR-01 OMB-01 /099 W
----- 048840

P R 110205Z JUL 73

FM AMEMBASSY CANBERRA

TO SECSTATE WASHDC PRIORITY 1230

AMEMBASSY PHNOM PENH PRIORITY

INFO AMEMBASSY BANGKOK

AMCONSUL HONG KONG

AMCONSUL MELBOURNE

AMEMBASSY SAIGON

AMEMBASSY SINGAPORE

AMCONSUL SYDNEY

AMEMBASSY VIENTIANE

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FOR EA AND COMMERCE EXPORT CONTROL

E.O. 11652: GDS

TAGS: ESTC, AS, CB

SUBJ: GOA DEFERRAL OF EXPORT LICENSE FOR CARGO

AIRCRAFT TO CAMBODIA

REF: CANBERRA 3757

1. ALLEN DEPARTMENT FOREIGN AFFAIRS, INFORMED EMBASSY
AND WROTE SEPARATELY JULY 10 THAT PRIME MINISTER HAS
DECIDED NOT REPEAT NOT TO ALLOW EXPORT TO CAMBODIA OF TWO
CARGO AIRCRAFT (REFTEL). ALLEN STATES PM RECONSIDERED
MATTER IN LIGHT INFORMATION AND REASSURANCES OBTAINED
THROUGH AUSTRALIAN EMBASSY PHNOM PENH BUT STILL FELT
EXPORT SHOULD NOT BE ALLOWED DUE TO "POLITICAL SENSI-
TIVITY." ALLEN SAYS DECISION IS FINAL BUT CONCEDES
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IT MIGHT BE REVIEWED AGAIN "IF SITUATION CHANGES."

2. DECISION PRECLUDES EXPORT OF THESE AIRCRAFT TO ANY COUNTRY AND IS FINANCIAL REVERSE FOR WROTEN AND SAAT. EVEN IF WROTEN COULD RECOUP PURCHASE PRICE, HE WOULD STILL HAVE LOST SUBSTANTIAL SUM SPENT ON TRAINING THREE PILOTS BROUGHT OUT FROM US TO FLY AIRCRAFT FOR SAAT. ALSO, SAAT, HAS MADE CONTRACTURAL ARRANGEMENTS WITH AIR CAMBODGE WHICH IT CANNOT FULFILL WITHOUT THESE AIRCRAFT, WROTEN SAYS.

3. SITUATION BOILS DOWN TO GOA'S UNSUBSTANTIATED SUSPICIONS THAT PLANES WILL BE USED FOR MILITARY PURPOSES PITTED AGAINST WROTEN'S UNSUBSTANTIATED CLAIMS THIS NOT TRUE. WROTEN SAYS HE HAS ASKED SAAT PRESIDENT, CAPTAIN FERGUSON, TO ARRANGE PHNOM PENH MEETING AMONG US AND AUSTRALIAN AMBASSADORS AND AIR CAMBODGE REPRESENTATIVE TO CONVINCE GOA THAT EXPORT SHOULD BE APPROVED. POSSIBILITY OF RE-OPENING CASE WITH GOA NOT BRIGHT, BUT NEW EVIDENCE OF BONA FIDES SAAT MIGHT TIP SCALES. WROTEN ALSO STATES SAAT OFFICIAL WILL REQUEST USG IN WASHINGTON TO URGE GOA TO ALLOW EXPORT, BUT HE PROVIDES NO DETAILS THIS APPROACH.

4. WROTEN CONTENDS LOCAL LAWYER ADVISES HIM THAT GOA DOES NOT HAVE LEGAL AUTHORITY TO BAR EXPORT OF AIRCRAFT

SINCE IT, THROUGH DEPARTMENT OF CIVIL AVIATION, HAS GRANTED APPROVAL FOR THEM TO BE DE-REGISTERED IN AUSTRALIA AND RE-REGISTERED IN U.S. SINCE CHANGE OF REGISTRY, PLANES CANNOT BE FLOWN WITHIN AUSTRALIA EXCEPT TO LEAVE COUNTRY WHICH EXPORT BAN PRECLUDES. EMBASSY UNABLE SUBSTANTIATE OR DISPROVE THIS POINT OF LAW, ALTHOUGH WE BELIEVE GOA GENERALLY DOES HAVE AUTHORITY TO BLOCK EXPORT.

5. FOR ACTION ADDRESSEES: EMBASSY STILL DESIRES INFORMATION REQUESTED REFTEL AS WELL AS STATUS PHNOM PENH MEETING AND WASHINGTON APPROACH (PARA 3) MENTIONED BY WROTEN. WE ALSO REQUEST ANY INFORMATION ON LEGAL BASIS FOR BLOCKING EXPORT WHICH STATE-L OR COMMERCE MAY HAVE. GREEN

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TAGS: ESTC, AS, CB
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